



CITY OF MORGAN HILL

**MORGAN HILL REDEVELOPMENT AGENCY
CITY COUNCIL**

COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

REDEVELOPMENT AGENCY

Dennis Kennedy, Chairperson
Greg Sellers, Vice-Chairperson
Hedy L. Chang, Agency Member
Cynthia J. Cook, Agency Member
Steve Tate, Agency Member

CITY COUNCIL

Dennis Kennedy, Mayor
Steve Tate, Mayor Pro Tempore
Hedy L. Chang, Council Member
Cynthia J. Cook, Council Member
Greg Sellers, Council Member

WEDNESDAY, MAY 24, 2000

AGENDA

JOINT MEETING

REDEVELOPMENT AGENCY REGULAR AND SPECIAL MEETING

and

CITY COUNCIL SPECIAL MEETING

*A Special Meeting is called at 6:30 p.m. for the
purpose of interviewing prospective Library
Commissioners*

Dennis Kennedy, Chairperson/Mayor

City Council Action

6:30 P.M.

CALL TO ORDER

(Chairperson/Mayor Kennedy)

ROLL CALL ATTENDANCE

(Agency Secretary/City Clerk Torrez)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(Agency Secretary/City Clerk Torrez)

OTHER BUSINESS:

	Time Estimate		Page
1.	15 minutes	<u>APPOINTMENT TO THE LIBRARY COMMISSION</u>	1
		<u>Recommended Action:</u>	
		1. <u>Interview</u> Applicants for the Library Commission,	
		2. <u>Council to Mark</u> the Candidate of Their Choice, and	
		3. <u>Mayor to Appoint</u> One Candidate to Serve on the Library Commission to Fill a Vacancy with the Term Ending April 1, 2001.	

7:00 P.M.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CERTIFICATE OF APPRECIATION

Joanna Schirle

Parks & Recreation Commissioner

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.

(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME THE
ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND PRESENT
IT TO THE CITY CLERK.**

(See notice attached to the end of this agenda.)

Redevelopment Agency Action

CONSENT CALENDAR:

The Consent Calendar, Agenda Items #2 through #3 may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time

Estimate

Page

Consent Calendar: 1 - 10 Minutes

- | | | |
|----|--|----|
| 2. | <u>MARCH 2000 FINANCE AND INVESTMENT REPORT</u> 11
<u>Recommended Action:</u> Accept and file report. | 11 |
| 3. | <u>LEASE EXTENSION WITH MACSA FOR THE EL TORO YOUTH CENTER</u> 21
<u>Recommended Action:</u>
1. Approve the Extension of the Lease with the El Toro Youth Center to 55 years, and
2. Authorize Interim Executive Director to Execute Final Lease and Make Modifications as Needed. | 21 |

OTHER BUSINESS:

Time

Estimate

Page

- | | | |
|----|---|----|
| 4. | <u>30 minutes LIBRARY SITE SELECTION STUDY</u> 55
<u>Recommended Action:</u> Authorize the Interim Executive Director to Prepare, Enter into and Execute a Contract with Frants Albert Associates for the Preparation of a Site Selection Study of the Five Proposed Sites for a New or Expanded Library, in an Amount Not to Exceed \$50,000. | 55 |
|----|---|----|

City Council & Redevelopment Agency Action

CONSENT CALENDAR:

The Consent Calendar, Agenda Items #X through #XX may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time

Estimate

Page

Consent Calendar: 1 - 10 Minutes

- | | | |
|----|--|----|
| 5. | <u>APPROVAL OF JOINT SPECIAL CITY COUNCIL AND SPECIAL REDEVELOPMENT AGENCY MEETING MINUTES OF MARCH 29, 2000</u> 69 | 69 |
|----|--|----|

6.	<u>APPROVAL OF JOINT SPECIAL AND REGULAR CITY COUNCIL AND SPECIAL REDEVELOPMENT AGENCY MEETING MINUTES OF MAY 3, 2000</u>	71
7.	<u>APPROVAL OF JOINT SPECIAL CITY COUNCIL AND SPECIAL REDEVELOPMENT AGENCY MEETING MINUTES OF MAY 10, 2000</u>	85

OTHER BUSINESS:

8.	60 minutes	<u>2000/01 BUDGET</u>	101
		<u>Recommended Action:</u>	
		1. <u>Review</u> the Interim City Manager's/Interim Executive Director Proposed 2000/01 Budget and Capital Improvement Program,	
		2. <u>Set</u> June 7, 2000 as a Budget Workshop, and	
		3. <u>Set</u> June 21, 2000 as a Public Hearing for Adoption of the Budget.	

City Council Action

CONSENT CALENDAR: The Consent Calendar, Agenda Items #9 through #15 may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

	Time Estimate Consent Calendar: 1 - 10 Minutes		Page
9.	<u>APRIL 2000 FINANCE AND INVESTMENT REPORT</u>		103
	<u>Recommended Action:</u> <u>Accept and file</u> report.		
10.	<u>RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS) QUARTERLY REPORT NO. 2</u>		129
	<u>Recommended Action:</u> <u>Accept</u> the Report by Minute Action.		
11.	<u>ACCEPTANCE OF ADA PARKS UPGRADE PROJECT</u>		143
	<u>Recommended Action:</u>		
	1. <u>Accept</u> as Complete the Construction of Morgan Hill ADA Parks Upgrade Project and		
	2. <u>Direct</u> the City Clerk to File the Notice of Completion with the County Recorder's Office.		
12.	<u>REJECTION OF BIDS FOR POLYBUTYLENE WATER SERVICE REPLACEMENT PROJECT, PHASE II</u>		147
	<u>Recommended Action:</u> <u>Reject</u> All Bids Received on May 2, 2000 for the Replacement of Polybutylene Water Services and Authorize Staff to Rebid the Project.		

13.	<u>AWARD BID AND AUTHORIZE THE PURCHASE OF EQUIPMENT AND LABOR REQUIRED TO BUILD UP POLICE PATROL VEHICLES</u>	149
	<u>Recommended Action:</u>	
	1. <u>Award</u> the Bid in the Amount of \$32,876 for the Build Up Police Patrol Vehicles, and	
	2. <u>Authorize</u> the Interim City Manager to Complete the Purchase.	
14.	<u>CITIZEN’S ADVISORY COMMISSION REPRESENTATIVE</u>	151
	<u>Recommended Action:</u> <u>Approve</u> Recommendation by the Library Commission to Appoint Charles Dillmann as Representative to the Citizen’s Advisory Commission on the Santa Clara County Library.	
15.	<u>APPROVAL OF SPECIAL CITY COUNCIL MEETING MINUTES OF MAY 9, 2000</u>	153

PUBLIC HEARING:

	<u>Time Estimate</u>		<u>Page</u>
16.	15 minutes	<u>APPLICATION: EXCEPTION TO LOSS OF BUILDING ALLOCATION APPLICATION: ELBA-00-04: DEL MONTE - DEL MONTE ESTATES (APN 764-20-072)</u>	155
		<u>Recommended Action:</u> Request staff presentation.	
		Public Hearing opened.	
		Please limit your remarks to 3 minutes. Public Hearing closed.	
		Council discussion.	
		Action -	<u>Motion to Adopt</u> Resolution No. 5386 Granting Exception to Loss of Building Allocation.
17.	10 minutes	<u>APPLICATION ZONING AMENDMENT ZA-00-02: AMENDMENT TO CHAPTER 17.50 OF THE MUNICIPAL CODE REGARDING VESTING TENTATIVE MAPS</u>	171
		<u>Recommended Action:</u> Request staff presentation.	
		Public Hearing opened.	
		Please limit your remarks to 3 minutes. Public Hearing closed.	
		Council discussion.	
		Action-	<u>Motion to Waive</u> the Reading in Full of Ordinance No. 1477 N.S., Amending Chapter 17.50 Establishing Submittal Requirements and Conferring Vested Right provisions on Nonresidential Tentative Map Approvals.
			<u>Motion to Introduce</u> Ordinance No. 1477, N.S. by Title Only.
18.	5 minutes	<u>DEVELOPMENT AGREEMENT AMENDMENT APPLICATION DAA 98-11: SPRING AVE. - WELLINGTON (FORMERLY GREEN ACRES): REQUEST FOR EXCEPTION TO LOSS OF BUILDING ALLOCATION</u>	191
		<u>Recommended Action:</u> Request staff presentation.	
		Public Hearing opened.	
		Please limit your remarks to 3 minutes. Public Hearing closed.	
		Council discussion.	
		Action-	<u>Motion to Waive</u> the Reading in Full of Ordinance No. 1478, N.S. Approving the Exception to Loss of Building Allocation.
			<u>Motion to Introduce</u> Ordinance No. 1478, N.S. by Title Only.

19.	20 minutes	<u>MEASURE P APPEAL APPLICATION AP-00-02: COCHRANE - MISSION RANCH</u> 203 Recommended Action: Request staff presentation. Public Hearing opened. Please limit your remarks to 3 minutes. Public Hearing closed. Council discussion. Action - <u>Motion to Deny</u> Appeal and Adopt Resolution No. 5387 with Findings. <i>If Appeal is Granted:</i> Action - <u>Motion to Direct</u> Staff to Modify Allotment Evaluation and Final Distribution of the Building Allotment, if Applicable.	203
20.	2 minutes	<u>SPECIAL EVENT PERMITS AND FEES</u> 215 Recommended Action: Request staff presentation. Public Hearing opened. Please limit your remarks to 3 minutes. Public Hearing closed. Council discussion. Action - <u>Motion to Adopt</u> Resolution No. 5383 Establishing a Two-tiered Rate Schedule for Temporary Use Permits.	215
21.	10 minutes	<u>ANNUAL ADJUSTMENT TO REFUSE RATES</u> 219 Recommended Action: Request staff presentation. Public Hearing opened. Please limit your remarks to 3 minutes. Public Hearing closed. Council discussion. Action - <u>Motion to Adopt</u> Resolution No. 5388 Approving the Refuse Rate Adjustment.	219
<u>OTHER BUSINESS: (continued)</u>			
	Time Estimate		Page
22.	10 minutes	<u>ADOPT RESOLUTIONS OF NECESSITY FOR PROPERTY ACQUISITION OF PROPOSED BUTTERFIELD EXTENSION</u> 227 Recommended Action: 1. <u>Adopt</u> Resolution No. 5384 determining that public interest and necessity require the acquisition of certain real property (Lands of Cox, APN 726-26-001) and directing the filing of eminent domain proceedings, and 2. <u>Adopt</u> Resolution No. 5385 determining that public interest and necessity require the acquisition of certain real property (Lands of Hu, APN 726-26-003) and directing the filing of eminent domain proceedings.	227
23.	5 minutes	<u>REVIEW OF PROPOSED MITIGATED NEGATIVE DECLARATION FOR THE MODERNIZATION OF LIVE OAK HIGH SCHOOL</u> 239 Recommended Action: <u>Direct</u> Staff to Respond to the Proposed Negative Declaration Requesting Additional Traffic Analysis.	239

SECOND READING OF ORDINANCE: Full Reading Waived By Majority Vote.

(Government Code Section 36934)

Action -- Adopt Ordinance by roll call vote.

24. 5 minutes **ADOPT ORDINANCE NO. 1476, NEW SERIES** 275
ORDINANCE NO. 1476, N.S. An Ordinance of the City Council of the City of Morgan Hill Approving an Amendment to Ordinance No. 545, New Series Amending the Development Plan for the Planned Unit Development Located on the South Side of Cochrane Road Between Monterey Road and Highway 101. ZA 00-03: Cochrane Rd - Morgan Hill Development Partners (APN 726-32-015)

OPPORTUNITY FOR PUBLIC COMMENT

CLOSED SESSION:

1.
60 minutes **CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION**
- | | |
|------------------------------|--|
| Legal Authority: | Government Code 54956.8 & 54956.9(c) (1 potential case) |
| Real Property(ies) involved: | APN 728-31-007 & 008; 25.50 acres located on the southwesterly side of Mission View and Cochrane Road; and APN 728-31-009 - 12.88 acres located on the southeast corner of Cochrane and Highway 101 (St. Louise Hospital property) |
| City Negotiators: | Agency Members; Interim Executive Director; Interim Agency Counsel; and F. Gale Conner, special counsel |
2.
30 minutes **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**
Initiation of litigation pursuant to Government Code section 54956.9(c) - One (1) potential case
3.
10 minutes **CONFERENCE WITH LEGAL COUNSEL - REAL PROPERTY NEGOTIATIONS**
- | | |
|--------------------------|---|
| Legal Authority: | Government Code Section 54956.8 |
| Real property involved: | 2.93 and 2.03 acre parcels located on the west side of Monterey Road, north of Cosmo Avenue (APN 767-17-046 & 047) |
| City/Agency Negotiators: | Interim City Manager/Interim Executive Director; Interim City Attorney/Agency Counsel; Director of Business Assistance & Housing Services; Recreation Manager |
| Closed Session Topic: | Acquisition of Real Property |
4.
10 minutes **CONFERENCE WITH LEGAL COUNSEL - REAL PROPERTY NEGOTIATIONS**
- | | |
|--------------------------|---|
| Legal Authority: | Government Code Section 54956.8 |
| Real property involved: | A 8.93 acre parcel located on West Edmundson Avenue, east of Community Park (APN 767-18-025) |
| City/Agency Negotiators: | Interim City Manager/Interim Executive Director; Interim City Attorney/Agency Counsel; Director of Business Assistance & Housing Services; Recreation Manager |

Closed Session Topic:

Acquisition of Real Property

CLOSED SESSION ANNOUNCEMENT:

FUTURE COUNCIL-INITIATED AGENDA ITEMS:

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT